

**ALASKA STATE LEGISLATURE**  
**HOUSE TRANSPORTATION STANDING COMMITTEE**

May 18, 2021

1:04 p.m.

**MEMBERS PRESENT**

Representative Grier Hopkins, Chair  
Representative Sara Hannan, Vice Chair  
Representative Ivy Spohnholz  
Representative Harriet Drummond  
Representative Tom McKay  
Representative Kevin McCabe  
Representative Mike Cronk

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 76

"An Act relating to vehicles abandoned on private property."

- MOVED SB 76 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 76

SHORT TITLE: ABANDONED VEHICLES; PRIVATE PROPERTY

SPONSOR(s): SENATOR(s) KIEHL

02/10/21	(S)	READ THE FIRST TIME - REFERRALS
02/10/21	(S)	STA, L&C
03/09/21	(S)	STA AT 3:30 PM BUTROVICH 205
03/09/21	(S)	Heard & Held
03/09/21	(S)	MINUTE(STA)
04/22/21	(S)	STA AT 3:30 PM BUTROVICH 205
04/22/21	(S)	Moved SB 76 Out of Committee
04/22/21	(S)	MINUTE(STA)
04/23/21	(S)	STA RPT 4DP
04/23/21	(S)	DP: SHOWER, HOLLAND, KAWASAKI, COSTELLO
04/30/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
04/30/21	(S)	Moved SB 76 Out of Committee
04/30/21	(S)	MINUTE(L&C)
05/03/21	(S)	L&C RPT 4DP

05/03/21	(S)	DP: COSTELLO, MICCICHE, GRAY-JACKSON, STEVENS
05/07/21	(S)	TRANSMITTED TO (H)
05/07/21	(S)	VERSION: SB 76
05/10/21	(H)	READ THE FIRST TIME - REFERRALS
05/10/21	(H)	TRA
05/17/21	(H)	TRA AT 9:00 AM BARNES 124
05/17/21	(H)	-- MEETING CANCELED --
05/18/21	(H)	TRA AT 1:00 PM BARNES 124

#### **WITNESS REGISTER**

SENATOR JESSE KIEHL

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, presented SB 76.

CATHY SCHLINGHEYDE, Staff

Senator Jesse Kiehl

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on SB 76 on behalf of Senator Kiehl, prime sponsor.

LAURA MACVAY, CEO

True North Federal Credit Union

Juneau, Alaska

**POSITION STATEMENT:** Testified in support of SB 76.

#### **ACTION NARRATIVE**

[1:04:10 PM](#)

**CHAIR GRIER HOPKINS** called the House Transportation Standing Committee meeting to order at 1:04 p.m. Representatives McCabe, McKay, Spohnholz, Drummond, Cronk, Hannan and Hopkins were present at the call to order.

#### **SB 76-ABANDONED VEHICLES; PRIVATE PROPERTY**

[1:05:19 PM](#)

CHAIR HOPKINS announced that the only order of business would be SENATE BILL NO. 76, "An Act relating to vehicles abandoned on private property."

[1:05:41 PM](#)

SENATOR JESSE KIEHL, Alaska State Legislature, as prime sponsor, presented SB 76. He said vehicles get abandoned in various places, including business parking lots, driveways of rental properties, and other privately owned properties. He described a situation in which the property owner attempts to contact the last registered owner and is either not able to do so or the last registered owner is not the current owner of the vehicle. In that situation, under current law, the property owner must wait six months to begin a process of notification to the last registered owner, certified notification receipt, notification to any lien holders, which eventually leads to the property owner getting title to the vehicle, at which point the property owner must pay the fee to have the vehicle removed. Senator Kiehl said SB 76 does not have the funding source to address the issue of removal cost; however, it would shorten the six-month wait to one month. The proposed legislation would make no change to the current notification requirements to the vehicle owner. He opined that 30 days is long enough to give an owner of a vehicle the chance to move the abandoned vehicle without losing the title to it.

[1:09:21 PM](#)

REPRESENTATIVE MCCABE remarked that he was happy to see this proposed legislation because his district is "notorious" for this type of thing happening. He asked about the timing of giving notice.

[1:10:08 PM](#)

CATHY SCHLINGHEYDE, Staff, Senator Jesse Kiehl, Alaska State Legislature, on behalf of Senator Kiehl, prime sponsor, answered that current statute, AS 28.05.121, states the property owner must send notice via certified mail, and [under SB 76], once the owner receives receipt the 30-day clock would start.

REPRESENTATIVE MCCABE asked, "So, you have to wait 30 days, then send the notice - a week or ten days or however long it takes to come back - and then there's another 30-day waiting period. Am I getting that right?"

MS. SCHLINGHEYDE answered, "That's exactly correct."

[1:11:05 PM](#)

CHAIR HOPKINS asked about the impetus for SB 76.

SENATOR KIEHL replied that a friend with rental property in Juneau, which included a driveway, had a tenant move out, leave behind a nonworking vehicle, and refuse to move it. He said he has discussed this issue with commercial property owners and people around the state. He said there is a letter of support from an autobody repair shop where people sometimes abandon their vehicles. He said this is an issue with which people in all parts of the state deal.

[1:12:29 PM](#)

REPRESENTATIVE MCCABE asked if the proposed legislation would apply only to private land or would cover vehicles abandoned on state property.

SENATOR KIEHL answered that SB 76 would apply only to private property. He noted that local and state governments already have significant powers to address such situations.

[1:13:08 PM](#)

REPRESENTATIVE HANNAN suggested some people may read the bill and think that the solution occurs at 30 days; however, the bill sponsor has articulated that at 30 days "the other notification processes start," and that the wait for that process is currently six months. She looked to clarify that no one would be deprived of their property at 30 days; that is when the process "to get that property gone" would begin under SB 76.

SENATOR KIEHL confirmed Representative Hannan is correct about the current law and what SB 76 would do.

[1:14:38 PM](#)

REPRESENTATIVE MCKAY asked about towing locations, processes, and costs.

SENATOR KIEHL replied that the availability of and distance to junk yards and scrap metal processors in Alaska varies from region to region. He mentioned a tax-funded program within the Municipality of Juneau pertaining to the cost of barging out abandoned vehicles. He said if he had a fund source to take the burden of disposal off the private property owner, he would have presented a more complex bill, but he cannot identify one.

[1:17:20 PM](#)

REPRESENTATIVE SPOHNHOLZ offered her understanding that nothing in SB 76 would require a property owner to pay for the removal of the vehicle, although it is generally in his/her best interest to do so.

SENATOR KIEHL confirmed that is correct.

1:18:08 PM

CHAIR HOPKINS opened public testimony on SB 76.

1:18:23 PM

LAURA MACVAY, CEO, True North Federal Credit Union, stated that vehicles abandoned on private property in the Vintage Park area of Juneau is a common occurrence and one for which business owners have to budget. She offered her understanding that the process of ridding a property of an abandoned vehicle is nearer to seven and a half months. She said an abandoned vehicle is an eyesore; it encourages some others to abandon their vehicles there, as well; and it uses up valuable customer parking space. She offered her understanding that the current six-month period was established to strike a balance between the rights of the property owner and the rights of the vehicle owner; however, she opined that six months is too long a period. As a lien holder, when she sees an abandoned vehicle, she wonders if it is one her company has a lien on; she knows "nothing good is going to happen to that collateral in the intervening six to eight months." She stated that 30 days should be enough time to have that information. She stated her support for SB 76, which she opined would address "a profound imbalance in the current law" and would empower property owners "to take reasonable action in a reasonable period of time" to remove abandoned vehicles left on their properties.

1:21:13 PM

CHAIR HOPKINS, after ascertaining there was no one else who wished to testify, closed public testimony on SB 76.

1:21:27 PM

REPRESENTATIVE HANNAN moved to report SB 76 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, SB 76 was reported out of the House Transportation Standing Committee.

[1:21:54 PM](#)

The committee took an at-ease from 1:21 p.m. to 1:22 p.m.

[1:22:33 PM](#)

**ADJOURNMENT**

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:22 p.m.